

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/08/08 has been entered.

Claims 1, 2, 5-9, 12-15 and 17-24 are pending.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Amend the CON data at **page 1** of the instant specification to the following:

--This application is a CON of S.N. 09/268,527 (filed 03/12/99, now U.S. 6,210,606, which application is a CON of S.N. 08/620,618 (filed 03/22/96, now U.S. 5,932,143), which application claims benefit of 60/007,688 (filed 11/29/95)).--.

In claim **1**, line 33, delete "Paraflex". At line 34, delete "Leromoll".

In claim **7**, line 32, delete "Paraflex". At line 33, delete "Leromoll".

In claim **18**, line 33, delete "Paraflex". At line 34, delete "Leromoll".

Authorization for this examiner's amendment was given in a telephone interview with Dr. Daniel P. Morris on 05/12/08.

The following is an examiner's statement of reasons for allowance:

Applicant's request to withdraw the Change of Inventorship under 37 C.F.R. §1.48 is entered. The inventorship of the instant application remains as filed: **Marie Angelopoulos, Yuh-Hsin Liao, and Ravi F. Saraf**. The bib data sheet and current CON data have been recorded accordingly.

The instant amendment has overcome the prior art rejection over Angelopoulos et al (5,804,100).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Kopec whose telephone number is (571) 272-1319. The examiner can normally be reached on Monday - Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Kopec/
Primary Examiner, Art Unit
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MK
May 12, 2008